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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS AMEZOLA,

Defendant.

CASE NO. 1:23-CR-00237-NODJ-BAM

STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE

IT IS HEREBY STIPULATED by and between Michele Beckwith, Acting United States Attorney and Robert L. Veneman-Hughes, Assistant U.S. Attorney and Kara Ottervanger, attorney for defendant Carlos Amezola, that the status conference set for February 26, 2025 at 1:00 pm before the Honorable Barbara A. McAuliffe be continued to May 28, 2025 at 1:00 p.m.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. In January 2025, the defense requested to physically view the evidence in this case, which includes multiple firearms and ammunition. Defense counsel was able to view a portion of that evidence which was held at ATF, but other evidence is in the custody of state authorities. The government is arranging for that evidence to be transferred into ATF custody for defense to view.

2. Because of the schedule of counsel and the need to maintain a chain of custody, the parties believe that the defense will have completed their viewing of the evidence by the end of March, 2025.

1 3. The parties have been engaged in plea negotiation and believe a resolution is likely once
2 defense has fully evaluated the evidence. Should the parties reach a resolution, they will vacate the
3 status conference. Should the parties be unable to agree, they believe the approximately 90 days
4 requested will be needed to meet and confer as to what issues, if any, remain to be resolved in advance
5 of trial on the proposed status conference date.

6 4. By this stipulation, defendant now moves to continue the status conference, and to
7 exclude time from February 26, 2025 to May 28, 2025.

8 5. The parties agree and stipulate, and request that the Court find the following:

9 a) The government has represented that the discovery associated with this case
10 includes investigative reports, and related documents, photographs, etc., in electronic form.
11 Initial discovery has been either produced directly to counsel and/or made available for
12 inspection and copying.

13 b) Defense counsel requires additional time to review discovery and investigate.

14 c) The government does not object to the continuance.

15 d) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period from February 26, 2025 to May 28,
20 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C.
21 § 3161(h)(7)(B)(iv) because it results from a continuance granted by the Court at defendant's
22 request on the basis of the Court's finding that the ends of justice served by taking such action
23 outweigh the best interest of the public and the defendant in a speedy trial.

24 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
26 must commence.

1 Dated: February 18, 2025

Respectfully submitted,

2 MICHELE BECKWITH
3 Acting United States Attorney

4 By /s/ Robert L. Veneman-Hughes
5 ROBERT L. VENEMAN-HUGHES
6 Assistant United States Attorney

7 Dated: February 18, 2025

/s/ Kara Ottervanger
8 KARA OTTERVANGER
9 Attorney for Carlos AMEZOLA

10 **ORDER**

11 IT IS SO ORDERED that the status conference is continued from February 26, 2025, to **May 28, 2025,**
12 **at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant
13 to 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C. § 3161(h)(7)(B)(iv). If the parties do not resolve the case in
14 advance of the next status conference, they shall be prepared to set a trial date at the status conference
15 hearing.

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17 IT IS SO ORDERED.

18 Dated: **February 19, 2025**

/s/ *Barbara A. McAuliffe*
19 UNITED STATES MAGISTRATE JUDGE
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